

STATE OF WISCONSIN

BEFORE THE VETERINARY EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST:

GLENN R. POPP, D.V.M.,

FINAL DECISION AND ORDER

RESPONDENT

LS0111283VET  
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The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Glenn R. Popp, D.V.M.

6520 Fetzer Rd.

Manitowoc, WI 54220

Wisconsin Veterinary Examining Board

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

1400 East Washington Ave.

P.O. Box 8935

Madison, WI 53708-8935

The parties in this matter, Glenn R. Popp, D.V.M., Respondent, and Pamela M. Stach, attorney for the Department of Regulation and Licensing, agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Veterinary Examining Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Glenn R. Popp, D.V.M., 6520 Fetzer Rd., Manitowoc, Wisconsin, 54220, whose date of birth is 10/31/1946, is licensed and currently registered to practice veterinary medicine in the State of Wisconsin under license #1489 which was granted on 6/13/1975.

2. A formal investigation, entitled 00 VET 12, is pending before the Wisconsin Veterinary Examining Board.

3. Respondent specializes in the treatment of small animals.

**"Happy"**

4. On 10/21/1999, "Happy", a twelve year-old male cat, was brought to the Respondent's clinic because he was

not eating or drinking. Four days earlier Happy had been seen eating thread. Happy was given antibiotics by injection and was hospitalized for monitoring.

5. On 10/23/1999, Happy showed some improvement and was discharged and taken home.

6. On 10/25/1999, Happy was brought back to the Respondent's clinic because he was dehydrated and not eating. An x-ray showed an obstruction from the stomach to the large bowel. During laparotomy surgery, Happy was found to have peritonitis throughout the intestines.

7. Respondent euthanized Happy without obtaining the owner's consent. The Respondent had a long-term relationship with the owners and believed that they would want Happy to be euthanized.

### **"Tonka"**

8. On 12/20/1999, "Tonka", a seven-year-old male Sheltie dog, was brought to the Respondent's clinic because he was vomiting and had not eaten on and off for about a week.

9. Over the next six days, Tonka continued to exhibit vomiting, bloody diarrhea, and lack of appetite. During these six days, the Respondent gave Tonka antibiotics and Tonka did show some improvement in his symptoms.

10. On 12/27/1999, the Respondent took a barium contrast x-ray series. Two x-rays were taken. The Respondent believed that the barium series was normal. Tonka was admitted for monitoring at Respondent's clinic.

11. On 12/28/1999, no vomit or diarrhea was seen in Tonka's cage. The Respondent gave Tonka Amforol as an antibiotic.

12. On 12/29/1999, vomit and diarrhea was seen in Tonka's cage. The Respondent gave Tonka Amforol as an antibiotic.

13. On 12/30/1999, Tonka had very bloody diarrhea, had vomited two or three times, and drank water. Respondent referred Tonka to Packerland Veterinary Center for a possible endoscope evaluation and biopsy.

14. On 1/1/2000, Tonka died at Packerland Veterinary Center due to renal failure.

### **"Ouija"**

15. On 3/23/2000, "Ouija", a three year-old male dog, was brought to the Respondent's clinic because one of Ouija's testicles had not descended and for a routine dental cleaning.

16. The owner believed that the Respondent was going to perform a surgical procedure that would bring down the nondescended testicle.

17. The procedure that was written on Ouija's medical record was a "neuter" and the Respondent believed that the procedure that the owner had requested was a "neuter." It is the Respondent's position that he would not have performed any procedure to bring down a nondescended testicle and that he had explained to the owner that the only treatment possible was the removal of the nondescended testicle. The Respondent said that he discussed the procedure with the owner and believed that she had agreed to have Ouija neutered. Therefore, the Respondent neutered Ouija.

18. The Respondent did not check to see if the owner had signed a consent form for a "neuter", and in fact, the owner did not sign a consent form for a "neuter".

19. It is the owner's position that she intended to use Ouija for breeding purposes and that she specifically told the Respondent that she wanted the nondescended testicle brought down.

20. During the routine dental cleaning of Ouija under general anesthetic the Respondent extracted five baby teeth without first obtaining the consent of the owner.

21. Glenn R. Popp, D.V.M., in order to resolve this matter, has voluntarily agreed to participate in an education program to address the areas set forth in paragraphs 4 - 20 above.

### CONCLUSIONS OF LAW

1. The Wisconsin Veterinary Examining Board has jurisdiction in this proceeding pursuant to Wis. Stats. Sec. 453.04.

2. The Wisconsin Veterinary Examining Board has the authority to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to Wis. Stats. Sec. 227.44(5).

3. Respondent's conduct constituted a violation of Wis. Adm. Code Sec. VE 7.06(1) and (2) in that he failed to properly perform a barium contrast x-ray series, he failed to obtain consent from the owner prior to neutering an animal, he failed to obtain consent from the owner prior to extracting five baby teeth during a routine dental cleaning, and he failed to obtain consent from the owner prior to euthanizing an animal.

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties, as attached hereto, is accepted.

IT IS FURTHER ORDERED that Glenn R. Popp, D.V.M., is hereby REPRIMANDED.

IT IS FURTHER ORDERED that Glenn R. Popp, D.V.M., shall participate in and successfully complete an educational course in radiology. The course shall include emphasis on x-ray development procedures and techniques of performing barium contrast x-rays. The course is to be provided through the University of Wisconsin School of Veterinary Medicine. The course shall consist of four to five hours of course work and radiograph review with a radiologist. A description of the course content and parameters shall be submitted to the Veterinary Examining Board, or its designee, for approval prior to the commencement of the program.

IT IS FURTHER ORDERED that the educational program shall be completed within six months of the effective date of this order.

IT IS FURTHER ORDERED that Glenn R. Popp, D.V.M., shall permit the person/s conducting the program to provide written evaluation of his participation in an successful completion of the course.

IT IS FURTHER ORDERED that Glenn R. Popp, D.V.M., shall pay COSTS in the amount of \$200.

IT IS FURTHER ORDERED that all the costs of the program shall be the responsibility of Dr. Popp.

IT IS FURTHER ORDERED that Glenn R. Popp, D.V.M., shall permit a random inspection of his clinic records, including consent forms, within six months after the signing of this Order by the Veterinary Examining Board or its designee, to ensure compliance at the time of inspection with the requirements if Wis. Adm. Code. secs. VE 7.06(15) and VE 7.03.

IT IS FURTHER ORDERED that the pending investigation 00 VET 12 is closed without further proceedings.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Veterinary Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 28<sup>th</sup> day of November, 2001.

WISCONSIN VETERINARY EXAMINING BOARD

Diane Scott, DVM

A Member of the Board